

that it furnished in one can, seven complete breakfasts, each significantly more nutritional than a breakfast consisting of 4 fluid ounces of fresh orange juice, 2 eggs, 2 slices of bacons, a cup of black coffee, one slice of whole wheat bread and one pat of butter, which name and statements were false and misleading since they were contrary to fact; 403(j)—the article was represented as a food for special dietary uses and its label failed to bear as required by regulations a statement of the percent by weight of the artificial sweetener contained in the article, namely, sodium cyclamate, and in juxtaposition therewith the word "nonnutritive."

DISPOSITION: 1-29-63. Consent—claimed by La Lanne, Inc., and relabeled.

29097. Dietary food supplement. (F.D.C. No. 49302. S. No. 54-616 V.)

QUANTITY: 174 pkgs., at Lincoln, Nebr.

SHIPPED: Between 9-1-62 and 10-31-62, from Beverly Hills, Calif.

RESULTS OF INVESTIGATION: Analysis showed that the article contained less than 75 percent of the declared amount of vitamin C.

LIBELED: 9-11-63, Dist. Nebr.

CHARGE: 402(b)(1)—while held for sale, the valuable constituent, namely, vitamin C, had been in part omitted or abstracted from the article; and 403(a)—the label statement "Contents of 1 Baby-Pak Daily will supply * * * Vitamin C * * * 10 mg." was false and misleading.

DISPOSITION: 10-14-63. Default—destruction.

29098. Nutri-Bio vitamins and minerals. (F.D.C. No. 48968. S. No. 24-851 V.)

QUANTITY: 262 ctns., each containing 2 pkgs. containing 13 dual compartment envelopes, at Sandusky, Ohio.

SHIPPED: Prior to 11-1-62, from Beverly Hills, Calif., by Nutri-Bio Corp.

LABEL IN PART: (Envelope) "Your Seven-Day Supply of Nutri-Bio Food supplement Vitamins & Minerals From Natural Or Organic Sources for the entire family * * * Nutri-Pak Better Nutri-tion Thru Bio-chemistry."

RESULTS OF INVESTIGATION: Analysis showed that one lot of the article contained approximately 75 percent of the declared amount of vitamin C and that various lots of the article contained approximately 78 percent of the declared amount of vitamin B₁₂.

LIBELED: 5-17-63, N. Dist. Ohio.

CHARGE: 402(b)(1)—while held for sale, valuable constituents, namely, vitamin C and vitamin B₁₂, had been in part omitted or abstracted from the article; and 403(a)—the label statements "2 Vitamin Tablets and 4 Mineral Tablets Daily will supply * * * Vitamin C * * * 60 Mg. * * * Vitamin B₁₂ Activity (Cobalamin) [or "Cobalamin Concentrate (Vitamin B₁₂ Activity)"] 5 mcg." were false and misleading as applied to a product containing less than the declared amount of those ingredients.

403(a)—when shipped, the name of the article "Nutrio-Bio * * * dietary food supplement" displayed upon the cartons was misleading as applied to an article whose composition (declared ingredients) varied from carton to carton; and 403(a)—the label of the article bore the false and misleading representation that the article was of significant value for special dietary supplementation because of the presence therein of unsaturated fatty acids, linoleic acid, linolenic acids, inositol, para-aminobenzoic acid, rutin, biotin, methionine, bioflavonoid complex, hesperiden complex, choline, alfalfa juice and powder

concentrate, copper, manganese, magnesium, potassium, sulfur, chlorine, sodium, montmorillonite (wonder clay); and because the ingredients of the article were of natural or organic origin.

DISPOSITION: 6-26-63. Default—destruction.

29099. Vitamin-mineral capsules. (F.D.C. No. 48962. S. Nos. 8-669/70 V.)

QUANTITY: 58 100-capsule btls. and 20 50-capsule blts., at New Britain, Conn.

SHIPPED: In 1958, from New York, N.Y.

RESULTS OF INVESTIGATION: Analysis showed that the articles contained approximately (100-capsule size) 76 percent of the declared amount of vitamin C and 78 percent of the declared amount of vitamin B₁ and (50-capsule size) 78 percent of the declared amount of vitamin B₁.

LIBELED: 5-22-63, Dist. Conn.

CHARGE: 402(b)(1)—while held for sale, valuable constituents, vitamin C (100-capsule size) and (both lots) vitamin B₁, had been in part omitted or abstracted from the article; and 403(a)—the label statements (both lots) "Each capsule contains * * * Vitamin B₁ 2.50 mg." and (100-capsule size) "Each capsule contains * * * Vitamin C 37.50 mg." were false and misleading.

DISPOSITION: 7-10-63. Default—destruction.

29100. Vigorped tablets. (F.D.C. No. 48645. S. No. 7-421 V.)

QUANTITY: 2 drums containing approximately 40,500 and 10,000 tablets respectively, 19 1,000-tablet btls., 22 500-tablet btls., and 9 100-tablet btls., at Lawrence, Mass., in possession of Pediatric Drug Co., Inc.

SHIPPED: 5-1-59, from St. Louis, Mo.

LABEL IN PART: (Btl.) "C. T. Brown Vigorped T-29 Each tablet contains: * * * Folic Acid 0.1 mg. * * * Dosage: 2 tablets 3 times a day * * * Manufactured for J. P. Drug Co., Lawrence, Mass."

ACCOMPANYING LABELING: Additional bottle labels reading as above.

RESULTS OF INVESTIGATION: The tablets were shipped in bulk drums and some tablets had been repacked and labeled as above by the dealer.

LIBELED: 2-20-63, Dist. Mass.

CHARGE: 402(a)(2)(C)—while held for sale, the article contained a food additive, namely, folic acid, which was unsafe within the meaning of 409, since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409; 403(a)—the name of the repacked article "Vigorped" and statements in its labeling, were false and misleading in that they represented and suggested that the article was adequate and effective to promote vigor, growth, and health; and that the article was balanced and supplied 18 times the minimum daily requirement for vitamin B; 403(j)—the article was represented for special dietary use and its label failed to bear such information concerning its vitamin and mineral properties as the Secretary had determined to be, and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such use, since its label failed to bear, as required by regulations, a statement of the proportion of the minimum daily requirement for vitamin B₁, vitamin C, calcium, phosphorus and iron supplied by such food when consumed in a specified quantity during a period of one day.

DISPOSITION: 4-10-63. Default—destruction.